

Re. : Amendment and Response to Office Action mailed October 31, 2005
Appl. No. : 10/669,756
Filed : September 24, 2003

II. REMARKS

Claims 1-18 are currently pending in the application. The Office Action rejected Claims 1-18, but stated that Claims 1, 9 and 18 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth the Office Action. The Office Action also stated that Claims 2-8 and 10-17 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

By the foregoing amendments, Applicants amended Claims 1, 3-12 and 15-18; cancelled Claims 13 and 14; and added new Claims 19-30 to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 1-12 and 15-30 are now in condition for allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

Re. : Amendment and Response to Office Action mailed October 31, 2005
Appl. No. : 10/669,756
Filed : September 24, 2003

Response to the Section 112, Second Paragraph, Rejection

The Office Action rejected Claims 1-18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Namely for Claims 1, 9 and 18, as the claims are presently worded, important structural interconnections between the hinge pin, hinge connectors, locking pin, handle portion and spring that allow them to work together and form a locking mechanism for the hinge assembly are missing, i.e., it is unclear how these features work together to lock the table top portions in a working position. For example, against what feature is the second end of the spring biased/attached to allow the spring/first end thereof to function properly. For Claims 3 and 12, “the locked position” and “the unlocked position” lack antecedent basis. Also for Claims 9 and 18, “the working position” lacks antecedent basis. For Claim 11, it is misdescriptive to state that the spring is coupled to one of the first leg or second leg.

Applicants respectfully thank the Examiner for her careful and thorough review of the application. As set forth above, Applicants amended independent Claims 1, 9 and 18 particularly point out and distinctly claim the subject matter which applicant regards as the invention. In addition, Applicants amended dependent Claims 3-8, 10-12 and 15-17 to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance. In view of these clarifying amendments, Applicants request that this Section 112, second paragraph, rejection be withdrawn.

Re. : Amendment and Response to Office Action mailed October 31, 2005
Appl. No. : 10/669,756
Filed : September 24, 2003

Allowable Subject Matter

The Office Action stated that Claims 1, 9 and 18 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth the Office Action. The Office Action also stated that Claims 2-8 and 10-17 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

As set forth above, Applicants amended Claims 1, 9 and 18 to overcome the rejection under 35 U.S.C. § 112, second paragraph, as set forth the Office Action. Accordingly, Claims 1-18 should now be allowable.

New Claims

Applicants added new Claims 19-30 to further clarify, more clearly define and/or broaden the claimed invention. Applicants believe that new Claims 19-30 are allowable for at least the same reasons that Claims 1-12 and 15-18 are allowable.

CONCLUSION

In view of the foregoing, Applicant submits that Claims 1-12 and 15-30 are allowable over the cited references and are in condition for allowance. Accordingly, Applicant requests that a Notice of Allowance be promptly issued.

Re. : Amendment and Response to Office Action mailed October 31, 2005
Appl. No. : 10/669,756
Filed : September 24, 2003

If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: April 29, 2006

By: 
Richard C. Gilmore
Registration No. 37,335
Attorney of Record

Customer No. 22,913

WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707
E-mail: rgilmore@wnlaw.com

G:\WPDOCS3\RCG\Lifetime Hong Kong\10a.1 Amendment and Response to Office Action dated 10-31-05.doc